IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 15892 of 2002

Between:

A.Balaiah S/o Alluraiah Age 70 yrs
Occ: Ex Sarpanch R/o.Yachavaram (V)

Arthaweedu (M) Prakasham Dist.

..... PETITIONER

AND

1 The Principal Secretary to Govt of A.P
Housing Dept , 4th Floor , L-Block Secretariat ,

Hyderabad-22.
2 The Dist Collector, Prakasham dist
3 The Dist Manager
A.P.Housing Corporation Ltd. Ongole.
4 The Revenue Divisional Officer
Markapuram Division Arthaweedu (M) Prakasham Dist.
5 Dy.Executive Engineer
A.P.Housing Corporation Markapur, Prakasham Dist.
6 The Mandal Revenu Officer
Arthaweedu (M) Prakasham Dist.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to May be pleased to issue an appropriate Writ order or direction , more particularly one in the nature of writ of Mandamus declaring the inaction of the respondents in sanctioning funds to the beneficiaries to whom House site Pattas have been granted on 20-01-1998 under I.A.Y.(Indira Avaj Yajana) scheme at Yachavaram Village ,

Arthaweedu Mandal Prakasham Dist, for the Construction of the houses , as illegal , improper , unjust and aribitrary besides being un constitutional and contrary to the Govt Policies and to issue a consequential direction directing the respondents to consider their request for sanction and release of funds for construction of their houses and to pass such other order or orders.

Counsel for the Petitioner: MR.K.SANKARAYYA

Counsel for the Respondents1,2,4 and 6.:G.P. FOR HOUSING

Counsel for the Respondents 3 and 5: Mr.V.Ch.Naidu, S..C. for Housing Corporation.

The Court made the following :

ORDER

It is represented by the counsel that the question involved in this Writ Petition is squarely covered by the judgment in W.P.No.4398 of 1997, dated 5-7-2004. Following the same, the Writ Petition is accordingly disposed of with a direction that the allotments so far made of the houses constructed as per the scheme will not be disturbed. The allotments will continue to remain in operation, but no further allotment will be made under the policy as notified through the impugned G.O.Ms.No.87, dated 24-10-1996. Fresh allotments will be made as per the policy to be formulated by the State Government. In the event of any person aggrieved by the policy to be formulated, he will be at liberty to challenge the same in accordance with law.

19-11-2004.

Hsd

Assistant Registrar

To

1 The Principal Secretary Housing Dept ,Govt of A.P

. 4th Floor , L-Block Secretariat ,

Hyderabad-22.
2 The Dist Collector, Prakasham dist
3 The Dist Manager
A.P.Housing Corporation Ltd. Ongole.
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6 The Mandal Revenu Officer
Arthaweedu (M) Prakasham Dist.

7. 2 C.Cs to G.P. for Housing, High Court Buildings, Hyderabad m (OUT)

8. 2 C.D. copies.